



General Assembly

February Session, 2014

Substitute Bill No. 5491



AN ACT CONCERNING CUSTOMER SALES AND SERVICE CALLS MADE FROM OUTSIDE THE UNITED STATES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2014*) (a) As used in this section:
- 2 (1) "Customer sales call center" means an entity whose primary
3 purpose is initiating or receiving telephonic communications on behalf
4 of any person for the purpose of initiating sales, including, but not
5 limited to, making sales solicitations.
- 6 (2) "Customer service telephone bank" means an entity whose
7 primary purpose is initiating or receiving telephonic communications
8 on behalf of any person for the purpose of (A) providing services or
9 benefits, or (B) receiving information related to the provision of
10 services or benefits by such person.
- 11 (3) "Customer service employee" means a person employed by, or
12 working on behalf of, a customer sales call center or a customer service
13 telephone bank.
- 14 (4) "Personal identifying information" includes, but is not limited to,
15 a person's driver's license number, Social Security number, place of
16 employment, employee identification number, mother's maiden name,
17 demand deposit account number, savings account number or credit
18 card number.

19 (b) Any person who conducts business in this state and who has a
20 contract with a customer sales call center or a customer service
21 telephone bank that is entered into, renewed or continued on or after
22 July 1, 2014, shall include a provision in such contract that requires a
23 customer service employee to disclose the following information
24 during the first thirty seconds of each telephone call when the
25 customer service employee makes a telephone call to or receives a
26 telephone call from a resident of this state:

27 (1) (A) Whether the customer service employee is in a workplace
28 located outside of the United States, and if the employee is in such a
29 workplace, the employee shall also disclose whether the telephone call
30 may require the resident to disclose personal identifying information,
31 and (B) if the telephone call may require the resident to disclose
32 personal identifying information, that the resident may request that
33 the telephone call be transferred to a customer sales call center or
34 customer service telephone bank located in the United States in order
35 to allow the resident to speak with a customer service employee
36 located in the United States; and

37 (2) Whether the call is being monitored or will be reviewed by a
38 person located outside of the United States, and, if so, that the resident
39 may request that the telephone call be transferred to a customer sales
40 call center or customer service telephone bank located in the United
41 States in order to allow the resident to speak with a customer service
42 employee located in the United States.

43 (c) (1) Upon receiving a request pursuant to subdivision (1) or (2) of
44 subsection (b) of this section that a telephone call be transferred to a
45 customer sales call center or customer service telephone bank located
46 in the United States, the customer service employee shall immediately
47 transfer such telephone call to a customer sales call center or customer
48 service telephone bank located in the United States.

49 (2) Upon receiving a request pursuant to subdivision (2) of
50 subsection (b) of this section that the call be transferred, the customer

- 51 service employee shall ensure that such telephone call is not monitored
52 or reviewed by a person located outside of the United States.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2014</i>	New section
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Statement of Legislative Commissioners:

In Subsec. (a)(2), subparagraph designators (A) and (B) were inserted and "or benefits" was inserted in subparagraph (A) for accuracy, and in Subsec. (c)(1), a reference to subdivision (2) of subsection (b) was inserted for accuracy.

GL *Joint Favorable Subst. -LCO*